

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-mj-00078-SMM

UNITED STATES OF AMERICA

v.

ANGELO VICTOR FERNANDES,

FILED BY YAR D.C.

Jul 9, 2022

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FTP

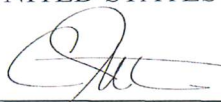
CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? No
2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No

Respectfully submitted,

JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY

By:



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UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

ANGELO VICTOR FERNANDES,

Case No.

22-mj-00078-SMM

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 10, 2022 in the county of Martin in the
Southern District of Florida, the defendant(s) violated:

Code Section

18 U.S.C. § 2252(a)(2) & (b)(1)

Offense Description

Distribution of Visual Depictions Involving Sexual Exploitation of Minors

This criminal complaint is based on these facts:

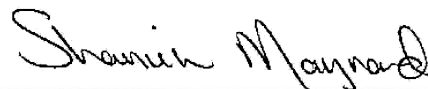
-SEE ATTACHED AFFIDAVIT-

☒ Continued on the attached sheet.*Complainant's signature*

HSI Special Agent Brian Ray

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by videoconference.

Date: July 9, 2022*Judge's signature*City and state: Fort Pierce, Florida

Shanik M. Maynard, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT OF
BRIAN RAY, SPECIAL AGENT
HOMELAND SECURITY INVESTIGATIONS**

I, Brian Ray, after being duly sworn, depose and state:

1. I am a Special Agent (SA) employed by Homeland Security Investigations (HSI), having been so employed since March 2003. From 2001 to 2003, I was employed by the U.S. Customs Service as a Special Agent. From 1994 to 2001, I was employed as a deputy sheriff in Florida. From 1985 to 1994, I served as a U.S. Air Force Security Policeman. I have been assigned to the investigation of cases involving the sexual exploitation of children. These investigations have included the utilization of surveillance techniques, undercover activities, the interviewing of subjects and witnesses, and the planning and execution of search and arrest warrants. I have received formal training on the aforementioned investigations at the Federal Law Enforcement Training Center, HSI Cyber Crimes Center and at Internet Crimes Against Children Conferences.

2. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18 United States Code. That is, I am an officer of the United States, who is empowered by law to conduct investigations of and make arrests for, offenses enumerated in Title 18, United States Code, Sections 2251, 2252, 2422, *et seq.*

3. I have participated in investigations involving pedophiles, preferential child molesters, and persons who collect and/or distribute child pornography, along with the importation and distribution of materials relating to the sexual exploitation of children since 2002. I have completed the Treasury Computer Forensic Training Program's Basic and Advanced Computer Evidence Recovery courses. I have completed Mobile and Cellular Device Data Extraction and Analysis Training, provided by the HSI Cyber Crimes Center. I am currently assigned as an HSI

computer forensic examiner. While conducting investigations, I have observed and reviewed examples of child pornography. I have assisted in numerous child pornography and child exploitation investigations, which have involved reviewing examples of evidence in all forms of media including computer media and have discussed and reviewed these materials with other law enforcement officers.

4. I am conducting an investigation involving the sexual exploitation of children and related activities of the individual named herein, Angelo Victor FERNANDES. I am familiar with the facts and circumstances surrounding this investigation from my own investigative efforts, as well as from information obtained from other law enforcement officers with personal knowledge of the evidence and activities described herein. Although familiar with the facts and circumstances of this investigation, I have not included each and every fact known to me about the matters set forth herein, but only those facts that I believe are necessary to establish probable cause to believe that Angelo Victor FERNANDES violated Title 18, United States Code, Sections U.S.C. §§ 2252(a)(2) & (b)(1) (Distribution of Child Pornography).

5. On April 30, 2022, Daniel CROW was referred for inspection after arriving at the Philadelphia International Airport from the London International Airport, aboard American Airlines flight AA 737. CROW's smartphone was detained for a border search. The border search revealed WhatsApp communications between CROW and FERNANDES.

6. The chats between CROW and FERNANDES were dated from January 16, 2022, to April 30, 2022. Based on the chat, CROW and FERNANDES know each other from working in the cruise ship industry, and FERNANDES is from Goa, India. FERNANDES had a sexual interest in CROW, which CROW exploited to get FERNANDES to send child pornography. CROW promised to send FERNANDES videos of himself masturbating if FERNANDES sent him child pornography.

7. On January 25, 2022, FERNANDES sent the first of 13 child pornography videos to CROW. The video was 15 seconds and depicted a preteen female being vaginally penetrated by a penis. CROW replied to the video typing, "OMG", followed by, "Where did u get that one? Perfect!" Based on location data, CROW appeared to be outside the Southern District of Florida when he received the child pornography video.

8. Beginning at 10:36 AM on February 10, 2022, CROW's smartphone location data placed CROW in Martin County, Florida, in the Southern District of Florida. At 10:52 AM, CROW began a chat session with FERNANDES that continued, on and off, throughout the day. At 4:56 PM, FERNANDES transmitted a child pornography video to CROW. The video was one minute and fourteen seconds, depicting a preschool male rubbing his erect penis on an adult female's buttocks, followed by the preschool male digitally penetrating the female's vagina. At 5:38 PM, CROW acknowledged the video and asked for more.

9. On April 11, 2022, and again on April 14, 2022, FERNANDES indicated he was traveling home on April 16, 2022. On April 20, 2022, FERNANDES sent the message, "Good afternoon from goa".

10. I ran searches on HSI systems looking for an Indian national named Angelo FERNANDEZ, based on the spelling in CROW's smartphone. I located a 2013 inspection record of an Angelo Victor FERNANDES, DOB XX/XX/1988, India passport number H6XXXX56, who was listed as a crewman on the Coral Princess cruise ship out of Juneau Alaska. I ran the passport number in U.S. Customs and Border Protection (CBP) systems and located numerous entries to the United States for FERNANDES from 2012 through 2021. The records document FERNANDES' updated India passport number, U1XXXX57.

11. The CPB entry records include a photo of FERNANDES' face. FERNANDES' photo matched the WhatsApp profile photo for "FERNANDEZ" on CROW's smartphone, both of which show FERNANDES has a scar above his right eyebrow. The phone number for FERNANDES used in the WhatsApp chat was International Prefix 91 (India), Phone Number XXX-XXX-0155.

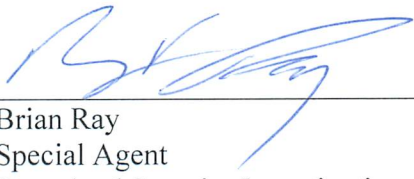
12. Using the updated passport information, I located a CBP record indicating Angelo Victor FERNANDES, India passport number U1XXXX57, was onboard a flight from Seattle/Tacoma International Airport to Doha International Airport on April 16, 2022.

13. On July 8, 2022, FERNANDES entered the United States via the San Francisco International Airport aboard Qatar Airways flight 737 from Doha, Qatar. FERNANDES was referred for secondary inspection and provided access to his iPhone 7 for review.

14. Special Agent Michael Kress, HSI San Francisco International Airport, reviewed WhatsApp chats on FERNANDES' iPhone 7. Agent Kress located the message containing the child pornography video sent to CROW on February 10, 2022, at 4:56 PM. Because the iPhone was in airplane mode, the video would not play, but the message did display a thumbnail still image of the preteen male with his crotch above the adult female's buttocks.

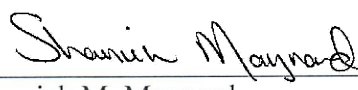
15. FERNANDES waived his Miranda rights and provided a statement, recorded by Agent Kress. FERNANDES stated he knew CROW, he was attracted to CROW, and wanted to see sexually explicit material featuring CROW. When he found out CROW liked child pornography, he obtained child pornography from other WhatsApp users and sent it to CROW in hopes CROW would produce and send masturbation videos.

FURTHER SAYETH YOUR AFFIANT NAUGHT.



Brian Ray
Special Agent
Homeland Security Investigations

Subscribed and sworn to before me in accordance with the requirements of Fed. R. Crim.
P. 4.1 by video-conference, this 9th day of July 2022.



Shanick M. Maynard
United States Magistrate Judge